

# COMMITTEE REPORT

## MADAM PRESIDENT:

**The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 371, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 education.
- 4 Page 3, line 23, strike "academic training" and insert "**education**".
- 5 Page 6, line 17, after "The" insert "**advisory board of the division**
- 6 **of**".
- 7 Page 6, line 17, reset in roman "professional".
- 8 Page 6, line 18, reset in roman "standards".
- 9 Page 6, line 18, delete "Indiana state".
- 10 Page 6, line 18, strike "board" and insert "**of the department**".
- 11 Page 6, line 18, reset in roman "IC 20-1-1.4".
- 12 Page 6, line 19, delete "IC 20-1-1-1".
- 13 Page 6, line 25, after "the" insert "**advisory board of the division**
- 14 **of**".
- 15 Page 6, line 25, reset in roman "professional standards".
- 16 Page 6, line 25, delete "Indiana".
- 17 Page 6, line 26, delete "state".
- 18 Page 6, line 26, strike "board".
- 19 Page 6, line 26, after "board" insert "**of the department**".
- 20 Page 6, line 26, reset in roman "IC 20-1-1.4".
- 21 Page 6, line 26, delete "IC 20-1-1-1".

- 1 Page 6, line 27, after "the" insert "**advisory board of the division**
- 2 **of**".
- 3 Page 6, line 27, reset in roman "professional standards".
- 4 Page 6, line 28, after "board" insert "**of the**".
- 5 Page 6, line 28, delete "IC 20-1-1.1-2" and insert "**IC 20-1-1.4**".
- 6 Page 6, line 31, strike "training" and insert "**education**".
- 7 Page 6, line 32, strike "training" and insert "**education**".
- 8 Page 14, line 6, delete "The" and insert "**Except as provided in**
- 9 **section 7 of this chapter, the**".
- 10 Page 14, line 11, strike "training" and insert "**education**".
- 11 Page 14, line 23, delete "training," and insert "**education,**".
- 12 Page 15, line 5, strike "training" and insert "**education**".
- 13 Page 15, line 9, strike "training" and insert "**education**".
- 14 Page 16, line 36, delete "In" and insert "**Subject to subsection (c)**
- 15 **and in**".
- 16 Page 16, line 37, after "the" insert "**advisory**".
- 17 Page 16, line 37, reset in roman "board".
- 18 Page 16, line 37, delete "department".
- 19 Page 17, line 12, strike "training" and insert "**education**".
- 20 Page 17, between lines 19 and 20, begin a new paragraph and insert:
- 21 "**(c) Before publishing notice of the intent to adopt a rule under**
- 22 **IC 4-22-2, the advisory board must submit the proposed rule to the**
- 23 **superintendent for approval. If the superintendent approves the**
- 24 **rule, the advisory board may publish notice of the intent to adopt**
- 25 **the rule. If the superintendent does not approve the rule, the**
- 26 **advisory board may not publish notice of the intent to adopt the**
- 27 **rule.**".
- 28 Page 18, line 12, delete "Money in the fund is continuously
- 29 appropriated for use".
- 30 Page 18, delete lines 13 through 14.
- 31 Page 20, line 14, delete "," and insert ".".
- 32 Page 20, line 15, reset in roman "(3) A rule or guideline adopted by
- 33 the".
- 34 Page 20, line 15, after "the" insert "**advisory board of the division**
- 35 **of**".
- 36 Page 20, line 15, reset in roman "professional standards".
- 37 Page 20, line 16, after "board" insert "**of the department of**
- 38 **education**".

- 1 Page 20, line 16, reset in roman "(established by".
- 2 Page 20, line 16, after "IC 20-1-1.4-2)," insert "**IC 20-1-1.4-3**,".
- 3 Page 20, line 19, reset in roman "(4)".
- 4 Page 20, line 19, delete "(3)".
- 5 Page 20, between lines 20 and 21, begin a new paragraph and insert:
- 6 "SECTION 24. IC 20-6.1-1-0.5 IS ADDED TO THE INDIANA
- 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 8 [EFFECTIVE JULY 1, 2005]: **Sec. 0.5. As used in this article,**
- 9 **"advisory board" refers to the advisory board of the division of**
- 10 **professional standards of the department of education established**
- 11 **by IC 20-1-1.4-3."**
- 12 Page 20, between lines 30 and 31, begin a new paragraph and insert:
- 13 "SECTION 26. IC 20-6.1-1-8 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. ~~Definition;~~
- 15 ~~"Teacher"~~: As used in this article, the term "teacher" means a
- 16 professional person whose position in the school corporation requires
- 17 certain ~~teacher training preparations~~ **educational preparation** and
- 18 licensing. The term includes, but is not limited to, any superintendent,
- 19 supervisor, principal, attendance officer, teacher, or librarian."
- 20 Page 20, line 32, after "1." insert "**(a)**".
- 21 Page 20, line 35, strike "training;" and insert "**education;**".
- 22 Page 20, line 36, strike "training" and insert "**education**".
- 23 Page 20, line 39, strike "training" and insert "**education**".
- 24 Page 20, after line 42, begin a new paragraph and insert:
- 25 "**(b) The department shall work with teacher education schools**
- 26 **and departments to develop a system of teacher education that**
- 27 **ensures individuals who graduate from the schools and**
- 28 **departments are able to meet the highest professional standards."**
- 29 Page 21, line 9, after "standards" insert "**advisory**".
- 30 Page 21, line 9, reset in roman "board's".
- 31 Page 21, line 10, delete "department's".
- 32 Page 21, line 15, after "The" insert "**advisory**".
- 33 Page 21, line 15, reset in roman "board".
- 34 Page 21, line 16, delete "department".
- 35 Page 21, line 31, strike "training" and insert "**education**".
- 36 Page 21, line 34, strike "training" and insert "**education**".
- 37 Page 24, line 37, after "The" insert "**advisory**".
- 38 Page 24, line 37, reset in roman "board".

- 1 Page 24, line 37, delete "department".
- 2 Page 25, line 19, after "The" insert "**advisory**".
- 3 Page 25, line 19, reset in roman "board".
- 4 Page 25, line 19, delete "department".
- 5 Page 25, line 25, after "The" insert "**advisory**".
- 6 Page 25, line 25, reset in roman "board".
- 7 Page 25, line 25, delete "department".
- 8 Page 26, line 14, strike "training" and insert "**education**".
- 9 Page 28, line 19, after "The" insert "**advisory**".
- 10 Page 28, line 19, reset in roman "board".
- 11 Page 28, line 19, delete "department".
- 12 Page 28, line 21, strike "training" and insert "**education**".
- 13 Page 28, line 30, strike "training," and insert "**education**".
- 14 Page 28, line 38, strike "training," and insert "**education**".
- 15 Page 29, line 3, strike "training," and insert "**education**".
- 16 Page 29, line 17, strike "training," and insert "**education**".
- 17 Page 29, line 28, strike "training" and insert "**education**".
- 18 Page 29, line 33, strike "training" and insert "**education**".
- 19 Page 31, between lines 14 and 15, begin a new paragraph and insert:
- 20 "SECTION 43. IC 20-10.1-4-4.5 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.5. (a)
- 22 Notwithstanding IC 20-10.1-1-0.5, this section applies only to public
- 23 schools (as defined in IC 20-10.1-1-2).
- 24 (b) As used in this section, "good citizenship instruction" means
- 25 integrating into the current curriculum instruction that stresses the
- 26 nature and importance of the following:
- 27 (1) Being honest and truthful.
- 28 (2) Respecting authority.
- 29 (3) Respecting the property of others.
- 30 (4) Always doing one's personal best.
- 31 (5) Not stealing.
- 32 (6) Possessing the skills necessary to live peaceably in society and
- 33 not resorting to violence to settle disputes, including methods of
- 34 conflict resolution.
- 35 (7) Taking personal responsibility for obligations to family and
- 36 community.
- 37 (8) Taking personal responsibility for earning a livelihood.
- 38 (9) Treating others the way one would want to be treated.

(10) Respecting the national flag, the Constitution of the United States, and the Constitution of the State of Indiana.

(11) Respecting one's parents and home.

(12) Respecting one's self.

(13) Respecting the rights of others to have their own views and religious beliefs.

(c) The department shall identify and make available to school corporations models of conflict resolution instruction, which may consist of a program of teacher ~~training~~ **education** with application of the techniques to the children in the classroom, to assist school corporations in complying with this section.

SECTION 44. IC 20-10.1-4-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) To:

(1) educate students on the importance of their future career choices;

(2) prepare students for the realities inherent in the work environment; and

(3) instill in students work values that will enable them to succeed in their respective careers;

~~and beginning with the 1994-95 school year,~~ each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values.

(b) Each school shall:

(1) integrate within the curriculum instruction that is; or

(2) conduct activities or special events periodically that are;

designed to foster overall career awareness and career development as described in subsection (a).

(c) The department shall develop career awareness and career development models as described in subsection (d) to assist schools in complying with this section.

(d) The models shall be developed in accordance with the following:

(1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.

(2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.

(3) For grades 9 through 10, career exploration models that offer students insight into future employment options.

(4) For grades 11 through 12, career preparation models that provide job or further education counseling, including the following:

(A) Initial job counseling, including the utilization of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.

(B) Workplace orientation visits.

(C) On-the-job experience exercises.

(e) The department, with assistance from the department of labor and the department of workforce development, shall:

(1) develop and make available teacher guides; and

(2) conduct seminars or other teacher ~~training~~ **education** activities;

to assist teachers in providing the instruction described in this section.

(f) The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9."

Page 32, line 19, reset in roman "board".

Page 32, line 19, delete "department".

Page 32, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 46. IC 20-10.1-16-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The purposes of the ISTEP program developed under this chapter are as follows:

(1) To assess the strengths and weaknesses of school performance.

(2) To assess the effects of state and local educational programs.

(3) To compare achievement of students in Indiana to achievement of students on a national basis.

(4) To provide a source of information for state and local decision makers with regard to educational matters, including the following:

(A) The overall academic progress of students.

(B) The need for new or revised educational programs.

(C) The need to terminate existing educational programs.

(D) Student readiness for postsecondary school experiences.

(E) Overall curriculum development and revision activities.

(F) Identifying students who may need remediation under

IC 20-10.1-17.

1 (G) Diagnosing individual student needs.

2 (H) Teacher ~~training~~ **education** and staff development  
3 activities.

4 (b) To carry out the purposes described in subsection (a), each  
5 English/language arts and mathematics test developed for use under  
6 ISTEP must include the following:

7 (1) A method of testing basic skills appropriate for the designated  
8 grade level, including multiple choice questions.

9 (2) A method of testing applied skills appropriate for the  
10 designated grade level, including short answer or essay questions  
11 and the solving of arithmetic or mathematical problems.

12 (3) A method of testing and grading that will allow comparison  
13 with national and international academic standards.".

14 Page 32, line 24, strike "training" and insert "**education**".

15 Page 32, between lines 35 and 36, begin a new paragraph and insert:

16 "SECTION 49. IC 21-6.1-4-6.1 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6.1. (a) This subsection  
18 applies to members who retire before July 1, 1980. A member who had  
19 completed four (4) years of approved college teacher ~~training~~  
20 **education** before voluntary or involuntary induction into the military  
21 services is entitled to credit for that service as if the member had begun  
22 teaching before the induction. A member who serves in military service  
23 is considered a teacher and is entitled to the benefits of the fund if for  
24 or during the leave of absence the member pays into the fund the  
25 member's contributions. Time served by a member in military service  
26 for the duration of the hostilities or for the length of active service in  
27 the hostilities and the necessary demobilization time after the hostilities  
28 is not subject to the one-seventh rule specified in section 5 of this  
29 chapter.

30 (b) This subsection applies to members who retire after June 30,  
31 1980. A member who had completed four (4) years of approved college  
32 teacher ~~training~~ **education** before voluntary or involuntary induction  
33 into military service is entitled to credit for the member's active military  
34 service as if the member had begun teaching before the induction. A  
35 member who serves in military service is considered a teacher and is  
36 entitled to the benefits of the fund if:

37 (1) the member has an honorable discharge; and

38 (2) except as provided in subsection (f), the member returns to

1 active teaching service within eighteen (18) months after the  
2 completion of active military service.

3 The time served by a member in military service for the duration of the  
4 hostilities or for the length of active service in the hostilities and the  
5 necessary demobilization time after the hostilities is not subject to the  
6 one-seventh rule specified in section 5 of this chapter. However, not  
7 more than six (6) years of military service credit may be granted under  
8 this subsection. In order to be eligible for any military service credit  
9 under this subsection, a member must have at least ten (10) years of  
10 in-state service credit.

11 (c) This subsection applies to members who retire after May 1, 1989.  
12 A member who had begun but had not completed four (4) years of  
13 approved college teacher ~~training~~ **education** before voluntary or  
14 involuntary induction into the military services is entitled to service  
15 credit in an amount equal to the duration of the member's active  
16 military service if the following conditions are met:

- 17 (1) The member has an honorable discharge.
- 18 (2) Except as provided in subsection (f), the member returns to a  
19 four (4) year approved college teacher training program within  
20 eighteen (18) months after the completion of active military  
21 service and subsequently completes that program.
- 22 (3) The member has at least ten (10) years of in-state service  
23 credit.

24 (d) This subsection applies to members who retire after May 1,  
25 1991, and who are employed at state institutions of higher education.  
26 A member who had begun but had not completed baccalaureate or  
27 post-baccalaureate ~~training~~ **education** before voluntary or involuntary  
28 induction into military service is entitled to the member's active military  
29 service credit for the member's active military service in an amount  
30 equal to the duration of the member's military service if the following  
31 conditions are met:

- 32 (1) The member received an honorable discharge.
- 33 (2) Except as provided in subsection (f), the member returns to  
34 baccalaureate or post-baccalaureate ~~training~~ **education** within  
35 eighteen (18) months after completion of active military service  
36 and subsequently completes that ~~training~~ **education**.
- 37 (3) The member has at least ten (10) years of in-state service  
38 credit.



(e) The maximum amount of service credit that may be granted to a member who meets the conditions of subsection (c), or (d) is six (6) years. However, for purposes of subsection (c), or (d), the time served by the member in active military service for the length of active service in hostilities and necessary demobilization is not subject to the one-seventh rule specified in section 5 of this chapter.

(f) The board shall extend the eighteen (18) month deadline contained in subsection (b)(2), (c)(2), or (d)(2) if the board determines that an illness, an injury, or a disability related to the member's military service prevented the member from returning to active teaching service or to a teacher ~~training~~ **education** program within eighteen (18) months after the member's discharge from military service. However, the board may not extend the deadline beyond thirty (30) months after the member's discharge.

(g) If a member retires, and the board subsequently determines that the member is entitled to additional service credit due to the extension of a deadline under subsection (f), the board shall recompute the member's benefit. However, the additional service credit may be used only in the computation of benefits to be paid after the date of the board's determination, and the member is not entitled to a recomputation of benefits received before the date of the board's determination.

(h) Notwithstanding any provision of this section, a member is entitled to military service credit and benefits in the amount and to the extent required by the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. 4301 et seq.), including all later amendments.

(i) Subject to the provisions of this section, an active member may purchase not more than two (2) years of service credit for the member's service on active duty in the armed services if the member meets the following conditions:

- (1) The member has at least one (1) year of credited service in the fund.
- (2) The member serves on active duty in the armed services of the United States for at least six (6) months.
- (3) The member receives an honorable discharge from the armed services.
- (4) Before the member retires, the member makes contributions to

the fund as follows:

(A) Contributions that are equal to the product of the following:

(i) The member's salary at the time the member actually makes a contribution for the service credit.

(ii) A rate, determined by the actuary of the fund, that is based on the age of the member at the time the member actually makes a contribution for service credit and computed to result in a contribution amount that approximates the actuarial present value of the benefit attributable to the service credit purchased.

(iii) The number of years of service credit the member intends to purchase.

(B) Contributions for any accrued interest, at a rate determined by the actuary of the fund, for the period from the member's initial membership in the fund to the date payment is made by the member.

However, a member is entitled to purchase service credit under this subsection only to the extent that service credit is not granted for that time under another provision of this section. At least ten (10) years of service in Indiana is required before a member may receive a benefit based on service credits purchased under this section. A member who terminates employment before satisfying the eligibility requirements necessary to receive a monthly allowance or receives a monthly allowance for the same service from another tax supported public employee retirement plan other than under the federal Social Security Act may withdraw the purchase amount plus accumulated interest after submitting a properly completed application for a refund to the fund.

(j) The following apply to the purchase of service credit under subsection (i):

(1) The board may allow a member to make periodic payments of the contributions required for the purchase of the service credit. The board shall determine the length of the period during which the payments must be made.

(2) The board may deny an application for the purchase of service credit if the purchase would exceed the limitations under Section 415 of the Internal Revenue Code.

(3) A member may not claim the service credit for purposes of

1           determining eligibility or computing benefits unless the member  
2           has made all payments required for the purchase of the service  
3           credit."

4           Page 37, line 17, after "the" insert "**advisory board of the division**  
5           **of professional standards of the**".

6           Page 37, line 18, delete "IC 20-1-1.1-2." and insert "**20-1-1.4-3**".

7           Renumber all SECTIONS consecutively.  
(Reference is to SB 371 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 5, Nays 4.

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**Lubbers**

**Chairperson**